

THE HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

SUPERVALU INC., a Delaware
corporation,

Defendant.

NO. C19-01834-MLP

STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

THE PARTIES above named, through their attorneys Russell J. Reid of Reid, McCarthy, Ballew & Leahy, L.L.P., attorneys for Plaintiff, and Thomas J. Wybenga and Meghan E. Troy of Seyfarth Shaw LLP, attorneys for Defendant, Supervalu Inc., hereby stipulate that the above-referenced action should be dismissed, with prejudice, and with each party bearing its own attorneys' fees and costs. **Except for the delinquent contribution claims that have been dismissed with prejudice,** this Stipulation and Order of Dismissal shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional

contributions, liquidated damages, interest and attorneys' fees for the time periods encompassed by this action:

Account No. 217194 – September 1, 2018 – January 31, 2019
Account No. 217190 – September 1, 2018 – January 31, 2019
Account No. 217210 – September 18, 2018 – December 31, 2018
Account No. 217279 – September 18, 2018 – December 31, 2018
Account No. 217216 – September 18, 2018 through November 30, 2019
Account No. 217220 – September 18, 2018 – December 31, 2018

if a future audit or some other source reveals that Defendant owes the Plaintiff additional amounts for said periods for said account numbers, or from collecting contributions, liquidated damages, interest, attorney's fees and costs for any periods other than those stated above for each account number.

DATED this 16th day of March, 2020.

REID, McCARTHY, BALLEW & LEAHY,
L.L.P.

SEYFARTH SHAW LLP

s/Russell J. Reid
Russell J. Reid, WSBA #2560
Attorney for Plaintiff

Meghan E. Troy, pro hac vice,
authorized to sign per email of
March 16, 2020
Thomas J. Wybenga, WSBA #42371
Meghan E. Troy, *pro hac vice*
Attorney for Defendant

ORDER OF DISMISSAL

Based on the foregoing Stipulation of Plaintiff and Defendant,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action shall be and is hereby dismissed with prejudice and that each party shall bear its own attorneys' fees and costs of suit. **Except for the delinquent contribution claims that have been dismissed with prejudice**, this Stipulation and Order of Dismissal shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional contributions, liquidated damages, interest and attorneys' fees for the time periods encompassed by this action:

, Account No. 217194 – September 1, 2018 – January 31, 2019
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if a future audit or some other source reveals that Defendant owes the Plaintiff additional amounts for said periods for said account numbers, or from collecting contributions, liquidated damages, interest, attorney's fees and costs for any periods other than those stated above for each account number.

ORDER ENTERED this 16th day of March, 2020.



MICHELLE L. PETERSON
United States Magistrate Judge

Submitted for Entry:

REID, McCARTHY, BALLEW &
LEAHY, L.L.P.

By s/Russell J. Reid
Russell J. Reid, WSBA #2560
Attorneys for Plaintiff